

MEMO ENDORSED

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

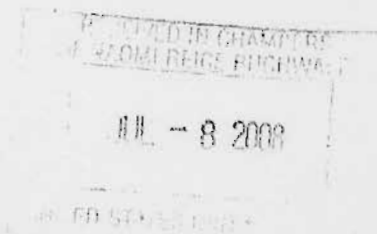
ANDREW M. CUOMO
Attorney General

DIVISION OF STATE COUNSEL
Litigation Bureau

July 7, 2008

VIA HAND DELIVERY

Honorable Naomi R. Buchwald
United States District Judge
Southern District of New York
500 Pearl St., Room 2270
New York, NY 10007



Re: Cedric Partee v. Superintendent William J. Connolly, et al.
08-CV-04007 (NRB)

Dear Judge Buchwald:

I am an Assistant Attorney General in the office of Andrew M. Cuomo, Attorney General of the State of New York, counsel for defendants Superintendent William J. Connolly, Elizabeth Williams, and Dr. Denise Williams, all of whose deadline to respond to the above-referenced 42 U.S.C. § 1983 complaint was June 30, 2008, but whose waivers of service were only filed on July 1, 2008. At this time, M. Ahmed is the only defendant who has not yet been served, but counsel for defendants will likely represent all named defendants eventually served. Today, however, I received a letter from the plaintiff stating that he is currently in the prison hospital receiving treatment for an injury unrelated to his complaint, and will remain there indefinitely. Because I have only recently been assigned this case, and have yet to receive any of the records, on behalf of the served defendants, I respectfully request a ninety-day extension of time to respond to the complaint until September 28, 2008, to allow the plaintiff time for completion of service, for my receipt of the records, and for discussions with my clients. This is my first request for an extension, and I have not contacted the plaintiff concerning this request as he is proceeding *pro se* and is incarcerated.

Respectfully submitted,

Frederick H. Wen

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So Ordered
Raymond
Deane
Wen
7/10/08

MEMO ENDORSED

cc: Cedric Partee
84-A-5009
Fishkill Correctional Facility
P.O. Box 1245
Beacon, NY 12508